

J.C. Watts, Jr.
Chairman
4th District, Oklahoma

House Meets at 10:00 a.m. for Legislative Business

Anticipated Floor Action:

H.R. 2910—National Transportation Safety Board Amendments Act

H.R. 2436—Unborn Victims of Violence Act

H.R. 2606—FY 2000 Foreign Operations Appropriations (Conference Report)



H.R. 2910—National Transportation Safety Board Amendments Act

Floor Situation: The House will consider H.R. 2910 as its first order of business today. Yesterday, the Rules Committee granted an open rule that provides one hour of general debate, equally divided between the chairman and ranking minority member of the Transportation Committee. The rule makes in order a committee amendment in the nature of a substitute as base text (as described below) and accords priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 2910 reauthorizes funding for the National Transportation Safety Board (NTSB) through FY 2002 and makes minor policy changes within the agency. Specifically, the bill authorizes \$57 million for FY 2000, \$65 million for FY 2001, and \$72 million for FY 2002 (the House-passed Transportation Appropriations bill provides \$57 million for the NTSB for FY 2000). In addition, the bill permits the NTSB to pay time-and-a-half to its employees who work overtime on an accident investigation. The bill also extends the same assurances of confidentiality now provided for voice recorders on aircraft to cover video recorders on aircraft and to voice and video recorders on surface vehicles.

The bill also (1) clarifies that the NTSB has the authority to enter into agreements with foreign governments to provide technical assistance and other services (and be reimbursed for those services); (2) establishes a procedure for the agency to turn over its investigation to the FBI when it appears that the accident was caused by a criminal act; (3) clarifies that the NTSB may enter property as well as inspect and test aircraft when conducting public aircraft accident investigations; (4) authorizes the Transportation Department In-

spector General to conduct oversight of NTSB financial management and business operations; and (5) directs the FAA to install a terminal Doppler weather radar at the former Coast Guard station in Brooklyn, New York, if it is needed for safety. Finally, the measure makes several other minor, miscellaneous changes within the agency.

The committee substitute makes one minor modification to the bill. It stipulates that any amounts the NTSB receives from document fees may be spent by the agency as provided in annual appropriations measures. Assuming appropriation of authorized amounts, CBO estimates that enactment will result in discretionary spending of \$194 million over the FY 2000-2004 period. The bill was introduced by Mr. Shuster *et al.* and was reported by the Transportation Committee by voice vote on September 23, 1999.

Views: The Republican leadership supports passage of the bill. An official Clinton Administration viewpoint was unavailable at press time.

Amendments: At press time, the *Legislative Digest* was aware of the following amendments to H.R. 2910:

Mr. Andrews may offer an amendment (#1) to require the NTSB to study the cost effectiveness and safety of using recycled materials in constructing surface transportation projects. The study must be submitted to Congress within two years of enactment. *Staff Contact: Chris Jones, x5-6501*

Mr. Andrews may offer an amendment (#2) to require the NTSB to study the risks to public safety from transporting incinerated solid waste through populated areas. The study must be submitted to Congress within two years of enactment. *Staff Contact: Chris Jones, x5-6501*

Mrs. Jackson-Lee may offer an amendment to express the sense of Congress that the Federal Highway Administration should implement the NTSB's recommendation that recording devices be installed in trucks. In the last decade, the NTSB has twice recommended that the Transportation Department adopt regulations that require adequate recording devices on trucks, which they believe will help enforce hours-of-service regulations, assist the agency in accident investigations, and ultimately enhance safety. *Staff Contact: Oliver Kellman, x5-3816*

Additional Information: See *Legislative Digest*, Vol. XXVIII, #27, September 24, 1999.



H.R. 2436—Unborn Victims of Violence Act

Floor Situation: The House will consider H.R. 2436 after it completes consideration of H.R. 2910. Yesterday, the Rules Committee granted a structured rule that provides two hours of general debate, equally divided between the chairman and ranking member of the Judiciary Committee. The rule waives House rules requiring the inclusion in committee reports of any recorded votes on a motion to report as well as amendments to a bill reported from committee. The rule makes in order a committee amendment in the nature of a substitute as base text. It also makes in order a manager's amendment and an amendment in the nature of a substitute, each debatable for the amount of time specified and in the order listed below. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on

a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 2436 amends current law and the Uniform Code of Military Justice to make it a federal crime to harm an unborn child during the commission of a violent criminal act. Federal judges may levy the same punishment as if the injury or death occurred to the unborn child's mother, excluding the death penalty. The measure exempts abortions performed with the mother's consent. The bill was introduced by Messrs. Graham, Smith (NJ), and Canady; the Judiciary Committee reported the bill by a vote of 14-11 on September 14, 1999.

Views: The Republican leadership supports passage of the bill. An official Clinton Administration view was unavailable at press time.

Amendments: As stated above, the rule makes in order the following two amendments to H.R. 2436.

Mr. Canady will offer a manager's amendment, debatable for 10 minutes, to make technical corrections to the bill and clarify that (1) the punishment authorized under the bill for intentionally killing or attempting to kill an unborn child is in lieu of, not in addition to, the punishment otherwise provided under the bill; and (2) the bill's exemption for abortion-related conduct includes situations in which a surrogate decision-maker acts on behalf of the pregnant women. *Staff Contact: Mary Coogan, x5-1252*

Ms. Lofgren will offer an amendment in the nature of a substitute, debatable for 60 minutes, to establish a new federal crime for any violent or assaultive conduct against a pregnant woman that interrupts or terminates her pregnancy, and makes any interruption punishable by a fine and imprisonment of up to 20 years; however, if the pregnancy is terminated, the crime will be punishable by a fine and life imprisonment. The substitute amendment includes no reference to unborn children. *Staff Contact: John Flannery, x5-3072*

Additional Information: See *Legislative Digest*, Vol. XXVIII, #27, September 24, 1999.



H.R. 2606—FY 2000 Foreign Operations Appropriations (Conference Report)

Floor Situation: The House may consider the conference report to H.R. 2606 after it completes consideration of H.R. 2436. Conference reports are privileged and may be considered anytime three days after they are filed; they are debatable for one hour and may not be amended. On Tuesday, the Rules Committee granted a rule waiving all points of order against the conference report and its consideration.

Summary: The conference report to H.R. 2606 appropriates \$12.7 billion in discretionary budget authority in FY 2000 for foreign assistance and export-financing programs. This amount is \$69.2 million more than the House-passed bill and \$20.6 billion less than last year (although the FY 1999 amount included \$2.1 billion in emergency spending and \$17.9 billion for the International Monetary Fund). Of the total amount appropriated, the measure provides \$599 million for export assistance, \$7.5 billion for bilateral economic assistance, \$3.5 billion for military assistance, and \$1.1 billion for multilateral economic assistance.

Major funding initiatives in the conference report include:

- * \$2.7 billion for the Agency for International Development (AID), \$48.6 million more than the House-passed bill;
- * \$3.4 billion for foreign military financing (\$50 million less than the House-passed bill);
- * \$78 million for voluntary peacekeeping operations (\$1.5 million more than the House-passed bill);
- * \$535 million for Eastern Europe and the Baltic States, including \$150 million for Kosovo (\$142 million more than the House-passed bill);
- * \$735 million for the former states of the Soviet Union (\$10 million more than the House-passed bill);
- * \$715 million (\$30 million more than the House-passed bill) for child survival and disease elimination activities;
- * \$19.6 million for the International Fund for Ireland, equal to the House-passed bill;
- * \$285 million (equal to the House-passed bill) for International Narcotics Control;
- * \$181.6 million (\$30,000 less than the House-passed bill) for nonproliferation, anti-terrorism, and demining activities; and
- * \$235 million (\$5 million less than the House-passed bill) for the Peace Corps.

The conference report also:

- * recommends no less than \$960 million for economic aid to Israel and no less than \$735 million in aid to Egypt;
- * withholds 50 percent of assistance provided for the government of Russia unless it ends nuclear and ballistic missile cooperation with Iran;
- * renews for one-year the partial waiver of section 907 of the Freedom Support Act (*P.L. 102-511*), which bans all U.S. assistance to Azerbaijan;
- * provides \$35.8 million for the Global Environment Facility (GEF), \$14.2 million less than the House-passed bill;
- * caps funding for bilateral family planning assistance at \$385 million and releases it on a monthly basis of 8.3 percent a month over twelve months; and
- * provides \$25 million for U.S. contributions to the United Nations Population Fund (UNFPA), but reduces that amount on a dollar-by-dollar basis for any amounts UNFPA spends on activities in China.

The House passed H.R. 2606 by a vote of 385-35 on August 3, 1999. The Senate approved its version (S. 1234) by a vote of 97-2 on June 30, 1999.

Additional Information: See *Legislative Digest*, Vol. XXVIII, #27, Pt. III, September 29, 1999; and #22, July 23, 1999.



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